

Practitioner's Docket No. SCDI-1-US5

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent application

of Carmelo J. Scuderi

Inventor(s)

for SPLIT FOUR STROKE ENGINE

Title of invention

the specification of which is being transmitted herewith

OR

In re application of:

Serial No.: 0 /

Group No.:

Filed:

Examiner:

For:

Assistant Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

**CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☐ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

37 C.F.R. 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. 1.10\*

☒ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory.) EV 321406764 US

**TRANSMISSION**

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: 7-8-2003

Joanne R. Frazier  
Signature

Joanne R. Frazier

(type or print name of person certifying)

**\*WARNING:** Each paper or fee filed by Express Mail **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Information Disclosure Statement [6-1]—page 1 of \_\_\_\_\_)

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;
  - (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or
  - (3) Before the mailing date of a first Office action on the merits, whichever event occurs last."
- 37 C.F.R. 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. 1.56(c).

NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b) - (d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13 -25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. § 1.51(b).

### **List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

*(check sections forming a part of this statement: discard unused sections  
and number pages consecutively)*

1. ☐ Preliminary Statements
2. ☒ FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☒ Identification of Prior Application in Which Listed Information Was Already Cited  
and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☐ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
  - 7A. ☐ EPO Search Report
  - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

*(complete the following, if appropriate)*

Sections \_\_\_\_\_, respectively, have been continued on ADDED PAGE(S).

NOTE: "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

**Section 1. Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

**Section 10. Identification of Person(s) Making THIS INFORMATION DISCLOSURE STATEMENT**

The person making this statement is

*(check each applicable item)*

- (a) ☐ the inventor(s) who signs below

\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
*(type name of inventor who is signing)*

- (b) ☐ an individual associated with the filing and prosecution of this application (37 CFR 1.56(c))

\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
*(type name of inventor who is signing)*

- (c) ☒ the attorney who signs below on the basis of the information:

*(check each applicable item)*

- ☐ supplied by the inventor(s).  
☐ supplied by an individual associated with the filing and prosecution of this application. (37 CFR 1.56(c))  
☒ in the attorney's file.

  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY

Reg. No.: 42,136

\_\_\_\_\_  
Stephen P. Scuderi  
*(type or print name of attorney)*

Tel. No.: (850) 241-2631

\_\_\_\_\_  
Pepe & Hazard LLP  
225 Asylum Street  
P.O. Address

\_\_\_\_\_  
Hartford, CT 06103

Please type a plus sign (+) inside this box → +

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
	Application Number				
	Filing Date				
	First Named Inventor	Carmelo P. Scuderi			
	Group Art Unit				
	Examiner Name				
Sheet	1	of	5	Attorney Docket Number	SCDI-1-US5

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		810.347		E. F. Porter et al.	1/16/1906	
		848.029		F. A. Haselwander	3/26/1907	
		939.376		W. M. Appleton	11/9/1909	
		1.111.841		J. Koenig	9/29/1914	
		1.248.250		Robert H. Bohler	11/27/1917	
		1.301.141		T. Leadbetter et al.	4/22/1919	
		1.392.359		Carl Rudovist	10/4/1921	
		1.856.048		Elmer C. Ahrens	4/26/1932	
		1.969.815		Andre J. Mever	8/14/1934	
		2.091.410		Marion Mallory	8/31/1937	
		2.091.411		Marion Mallory	8/31/1937	
		2.091.412		Marion Mallory	8/31/1937	
		2.091.413		Marion Mallory	8/31/1937	
		2.269.948		Marion Mallory	1/13/1942	
		2.280.712		Marion Mallory	4/21/1942	
		2.957.455		Christiaan H. Bouvv	10/25/1960	
		2.974.541		John Dolza	3/4/1961	
		3.895.614		Henry E. Bailey	7/22/1975	
		4.450.754		Jon L. Liliequist	5/29/1984	
		4.628.876		Tetsuzo Fujiikawa et al.	12/16/1986	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
			299.602		John W. Johnston	11/1/1928		
			505576		Joseph Emmi	12/17/1954		
			721.025		John H. Smith	12/29/1954		
		JP	60-256642					
			1551880 A1					
		WO	01/16470	A1	PATTON	03/08/2001		
		FR	24163344		KOVACS	08/31/1979		
		DE	25 15 271		HOFMANN	10/21/1976		
		DE	26 28 155		RENNER EWALD	01/05/1978		
		GB	383866		EDELSTEEN	11/24/1932		

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → +

PTO/SB/08A (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>Complete if Known</b>	
	Application Number			
	Filing Date			
	First Named Inventor	Carmelo J. Scuderi		
	Group Art Unit			
	Examiner Name			
Sheet	2	of	5	Attorney Docket Number
				SCDI-1-US5

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		4.805.571		Duane W. Humphrev	02/21/1989	
		4.945.866		Bertin R. Chabot, Jr.	08/07/1990	
		4.955.328		Rafal A. Sobotowski	09/11/1990	
		5.146.884		Ronald F. Merkel	09/15/1992	
		5.546.897		Doudlas C. Brackett	08/20/1996	
		5.623.894		John M. Clarke	04/29/1997	
		5.711.267		Kenneth A. Williams	01/27/1998	
		5.799.636		Robert D. Fish	09/01/1998	
		5.950.579		Vern D. Ott	09/14/1999	
		5.992.356		Bradlev David Howell-Smith	11/30/1999	
		6.058.901		Chun Liana Lee	05/09/2000	
		6.202.416		Charles L. Gray, Jr.	03/20/2001	
		6.230.671		Ravmond C. Achterbera	05/15/2001	
		2154856		Mallorv	04/19/1937	
		3774581		Lundv	11/27/1973	
		</				

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
		JP	5-156954		YOSHIMASU	06/22/1993		
		JP	8-261004		KUNITA	10/08/1996		
		JP	8-232675		KUNITA	09/10/1996		
		JP	2001-12250		MIYATA	01/16/2001		
		JP	2001-207801		MIYATA	08/03/2001		
		JP	2000-508403		NEGRE	07/04/2000		
		JP	57-181923		BRYANY	11/09/1982		
		JP	51-39306		SUGAWARA	04/01/1976		
		JP	8-503043		HASBUN	04/02/1996		
		JP	56-145641		YANMAR DIESEL	11/02/1981		

Examiner Signature	Date Considered
-----------------------	--------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.







